

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,) File No. 11-CR-188
(RHK/SER)
Plaintiff,)
vs.) Saint Paul, Minnesota
May 11, 2011
Joaquin Romero Rosas,) 2:33 p.m.
Defendant.) DIGITAL AUDIO
RECORDING TRANSCRIPT

BEFORE THE HONORABLE JEANNE J. GRAHAM
UNITED STATES DISTRICT COURT MAGISTRATE JUDGE
(PRELIMINARY AND DETENTION HEARING)

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Proceedings recorded by digital audio recording;
transcript produced by computer.

I N D E XSPECIAL AGENT DALE OUSEPAGE

Direct Examination by Mr. Docherty

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Cross-Examination by Ms. Durham

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EXHIBITSREC'D

P R O C E E D I N G S

IN OPEN COURT

THE COURT: We're here today in the matter of the United States versus Joaquin Romero Rosas. We're here today for a preliminary hearing as well as a detention hearing. May I have appearances, please.

MR. DOCHERTY: Good afternoon, your Honor. John Docherty for the Government. Also at counsel table is Special Agent Dale Ouse, O-U-S-E, from US Homeland Security Investigations.

THE COURT: Thank you.

MS. DURHAM: Good afternoon, your Honor. Caroline Durham on behalf of Mr. Rosas Romero. He is present as well.

THE COURT: All right. Good afternoon. All right. Are you ready to proceed with the hearings?

MR. DOCHERTY: I am, your Honor. The United States calls Dale Ouse.

THE COURT: Please come on up.

(Witness Ouse sworn by the Court)

AGENT OUSE: I do.

THE COURT: Please have a seat. Once again can you state your name.

THE WITNESS: Dale Ouse.

1 THE COURT: And how do you spell Ouse?

2 THE WITNESS: It's spelled O-U-S-E.

3 THE COURT: Thank you.

4 Go ahead, counsel.

5 DIRECT EXAMINATION

6 BY MR. DOCHERTY:

7 Q. Mr. Ouse, could you please tell the Court what it is
8 that you do for a living and how long you have been doing
9 it?

10 A. I'm a criminal investigator for Homeland Security
11 Investigations, and I have been doing it since July of 2009.

12 Q. And before that were you also employed in law
13 enforcement?

14 A. Yes, sir, I was a Federal Air Marshal for the Federal
15 Air Marshal Service back from 2009 to 2002. And before that
16 I was a Federal Border Patrol Agent for two years, and
17 before that I was a police officer in the City of Grand
18 Forks, North Dakota.

19 Q. And have you been in law enforcement since about 1996?

20 A. Yes, sir.

21 Q. All right. Have you been involved in an investigation,
22 Agent Ouse, into allegations that the Defendant here today,
23 Joaquin Romero Rosas, illegally possessed a firearm?

24 A. Yes.

25 Q. Can you describe to the Court briefly your role in that

1 investigation?

2 A. My role in that investigation was determining that
3 Mr. Romero Rosas, his immigration status, and then
4 presenting the courts, the crime hearing in Federal Court.

5 Q. All right. You mentioned the Defendant's immigration
6 status in your last answer. Have you checked the
7 Defendant's immigration status as of the 8th of May of 2011?

8 A. Yes.

9 Q. Can you tell the Court how you went about checking his
10 immigration status and what results you obtained, please?

11 A. I checked the immigration status in two different
12 databases. The first is called the Central Index, the
13 Central Index System, CIS; and this is commonly where all of
14 the immigration records are kept that the Federal Government
15 uses. I also checked in a database called the EARM,
16 E-A-R-M. I'm not sure what the acronym stands for, but the
17 detention and removal office of Immigration and Customs
18 Enforcement tracks all of their immigration courts court
19 cases within this database.

20 Q. And was the CIS database, the first one you mentioned,
21 is that one that is relied upon by law enforcement officers
22 in performing their duties?

23 A. Yes, it is.

24 Q. And in your time as an immigration investigator, have
25 you had occasion to use this database?

1 A. Yes, I have.

2 Q. Have you found the database to be accurate and reliable?

3 A. Yes, I have.

4 Q. All right. What results did you obtain when you queried
5 the CIS database for Mr. Romero Rosas's immigration status
6 on May the 8th, 2011?

7 A. It listed him as EWI, which stands for entry without
8 inspection, which means that he's inside of the United
9 States without inspection, which is illegal.

10 Q. And when you queried the EARM database for the same
11 information, what results did you obtain then?

12 A. I learned that he is currently in removal proceedings to
13 remove him from the United States. He is -- his court case
14 has been continued and his next court date is on -- it's in
15 December of 2011.

16 Q. I want to direct your attention now to Saturday the 8th
17 of May of 2011. Did you have occasion as part of your job
18 to be in the area of Lake Street and 4th Avenue South in the
19 City of Minneapolis that day?

20 A. Yes, I did.

21 Q. And was that in connection with a Cinco de Mayo festival
22 that was being held in that area?

23 A. That's correct.

24 Q. Had you received informant information prior to going to
25 that area that something was going to perhaps occur there

1 that caught your attention as a law enforcement officer?

2 A. Yes.

3 Q. Can you describe to the Court, without naming or
4 identifying the informant, the contents of the tip that was
5 received?

6 A. The information received was that a Surenos gang member
7 named Porky commonly carries a gun and he commonly has it in
8 the passenger compartment of his vehicle. The license plate
9 was given of the vehicle of Minnesota tag MWA 706. We were
10 able to run that license tag in a database which informed us
11 that it was a dark green Pontiac Grand Am.

12 Q. Were you able to do any checking on the nickname Porky?

13 A. Yes, we were able to run the name Porky through a gang
14 database and it identified Joaquin Romero Rosas as using the
15 name Porky.

16 Q. Did you then proceed, as you mentioned before, to the
17 area of Lake Street and 4th Avenue?

18 A. Yes, I did.

19 Q. Did you meet with Minneapolis police officers at that
20 time?

21 A. Yes, I did.

22 Q. And did you convey to those police officers the gist of
23 what you just told to the Court?

24 A. Yes.

25 Q. Later on that day were you informed by the Minneapolis

1 police that a traffic stop had been made and an arrest had
2 been made?

3 A. Yes.

4 Q. And did you go to the scene of the arrest?

5 A. Yes, I did.

6 Q. All right. Have you spoken with Minneapolis police
7 officers from the Gang Unit concerning the events of May the
8 8th, 2011?

9 A. Yes, I have.

10 Q. All right. At that time was a car with the license
11 plate that the informant had given found?

12 MS. DURHAM: Your Honor, I'm going to object to
13 the continued leading questions.

14 THE COURT: Let's try to rephrase. Sustained.

15 BY MR. DOCHERTY:

16 Q. Had the Minneapolis Police Department stopped a car?

17 A. Yes, they had.

18 Q. All right. And what correspondence, if any, was there
19 between the license plate on that car and the license plate
20 that the informant had given you?

21 A. It was the same license plate the informant had given.

22 Q. All right. Was the car searched?

23 A. Yes, it was.

24 Q. What was found in the car?

25 A. A small amount of marijuana and a pistol was found

1 behind the stereo.

2 Q. Can you go into that in a little more detail? How was
3 the -- could the pistol be seen if the stereo was in place?

4 A. No. The stereo was located where a stereo is commonly
5 located in a vehicle in the center dash area and if you --
6 it was an after-market stereo. If you pulled the stereo
7 out, it came out of the dash and there was a compartment
8 behind the stereo and the pistol was located behind the
9 compartment.

10 Q. What type of pistol was this?

11 A. It was a Cobra 380 semiautomatic pistol.

12 Q. Later on did the Minneapolis police tell you about any
13 statements that the Defendant had made at the scene of the
14 traffic stop?

15 A. Yes, they did.

16 Q. Could you describe that to the Court, please.

17 A. One of the officers was filling out some booking
18 information inside of the squad car and Mr. Romero Rosas
19 asked him what he was being arrested for and the officer
20 told him for a weapons charge. And Mr. Romero Rosas said,
21 "I have that gun for protection."

22 Q. Later on was Mr. Romero Rosas taken to the Third
23 Precinct in Minneapolis?

24 A. Yes, he was.

25 Q. Was he interviewed there?

1 A. Yes, he was.

2 Q. During that interview did he make statements concerning
3 the ownership of that firearm?

4 A. Yes, he did.

5 Q. Can you summarize for the Court what he said?

6 A. He was able to say -- to describe the person that he had
7 purchased the weapon from. He said that he bought it about
8 a month and a half ago and he had paid \$180 for the firearm.

9 Q. Going back to the scene of the traffic stop, did you and
10 Mr. Romero Rosas have any conversations concerning his
11 immigration status?

12 A. Yes, we did.

13 Q. Can you summarize those for the Court, please?

14 A. I can. I asked Mr. Romero Rosas if he had any documents
15 allowing him to remain in the United States legally. He
16 stated he did not. I asked him if he was in the United
17 States illegally and he said that he was.

18 Q. And then following, Agent Ouse, did you later place a
19 telephone call to Cobra Firearms?

20 A. Yes, I did.

21 Q. What was the purpose of making that telephone call?

22 A. To determine where they manufactured their firearms.

23 Q. And what did Cobra Firearms tell you about whether they
24 had a manufacturer in the State of Minnesota?

25 A. They said that they did not now, nor had they ever in

1 the past, had a manufacturing plant or any offices in the
2 State of Minnesota.

3 MR. DOCHERTY: Thank you, Agent.

4 Your Honor, that's all the questions I have.

5 THE COURT: Cross-exam?

6 MS. DURHAM: Yes, your Honor.

7 CROSS-EXAMINATION

8 BY MS. DURHAM:

9 Q. Agent, who received the information from this informant?

10 A. I did.

11 Q. And how did you come to get the information?

12 MR. DOCHERTY: Your Honor, objection to any
13 questions tending to show the identity of the informant.
14 It's not relevant for today's purpose.

15 MS. DURHAM: I'm not asking for the identity at
16 this point, your Honor.

17 THE COURT: You may answer as you can without
18 re -- discussing anything that would identify. So sustained
19 as to anything other than that. Go ahead.

20 THE WITNESS: I spoke with a person.

21 BY MS. DURHAM:

22 Q. The informant has your phone number?

23 A. Correct.

24 Q. Called you out of the blue?

25 MR. DOCHERTY: Your Honor, same objection.

1 THE COURT: That will be sustained on that.

2 BY MS. DURHAM:

3 Q. You in your affidavit state that this is a confidential
4 reliable informant. Does this individual have open cases,
5 pending cases at this time?

6 MR. DOCHERTY: Objection. Same objection.

7 MS. DURHAM: Goes to the reliability of the
8 information provided and bias in the information given.

9 THE COURT: Actually I'm not quite sure what
10 you're asking. What are you asking?

11 MS. DURHAM: Does he currently have an open case.
12 Are they working off a case at this time and that's why they
13 are an informant.

14 THE COURT: I'm going to sustain that objection.
15 I think there are other ways you can ask to try to get to
16 the reliability.

17 BY MS. DURHAM:

18 Q. This is an individual that's currently working for you,
19 yes?

20 A. Correct.

21 Q. Working off a criminal case?

22 A. No.

23 Q. Attempting to remain in the country by assisting you,
24 Immigration, yes?

25 MR. DOCHERTY: Same objection, your Honor.

1 THE COURT: That one I'm going to allow. What did
2 you say?

3 MS. DURHAM: He didn't answer.

4 THE WITNESS: I didn't answer.

5 THE COURT: I'll allow that.

6 THE WITNESS: You will allow it?

7 MS. DURHAM: Yes.

8 THE WITNESS: I didn't hear. It is an
9 administrative immigration case.

10 BY MS. DURHAM:

11 Q. What does that mean? Explain that to the Court.

12 A. It means the person is currently in the United States
13 illegally.

14 Q. And?

15 A. And is applying for status to remain in the United
16 States legally.

17 Q. By being a cooperator for law enforcement?

18 A. Correct.

19 Q. Okay. On how many occasions has this individual
20 provided you with reliable information?

21 A. I can't give that number off the top of my head.
22 Numerous occasions.

23 Q. More than three?

24 A. Yes.

25 Q. More than ten?

1 A. Around ten.

2 Q. How long have you worked with the individual?

3 A. I'd say about nine months.

4 Q. Okay. In your affidavit you say that the person
5 indicated that somebody named Porky might have a gun. What
6 does "indicated" mean?

7 A. It means they gave the information.

8 Q. What specifically were you told?

9 A. That a gang member for Southside Parqueros Surenos may
10 possibly be carrying a gun.

11 Q. And is this individual that's giving you that
12 information also a gang member?

13 MR. DOCHERTY: Objection, your Honor. That goes
14 to the identity of the informant.

15 THE COURT: Sustained.

16 BY MS. DURHAM:

17 Q. So who accessed information in the gang database? Did
18 you do that or another officer?

19 A. No, I don't have access to it. Another officer does.

20 Q. Okay. So what information is placed in the gang
21 database?

22 A. I'm not sure entirely what information is in there. I
23 know that names, identifying information, and then
24 associated police reports.

25 Q. Photographs, anything like that available?

1 A. Occasionally, yes.

2 Q. Was a photograph generated in this case?

3 A. Yes.

4 Q. And was it generated prior to the vehicle stop?

5 A. Yes.

6 Q. Who was it shared with?

7 A. I'm not sure. Minneapolis Police Department had that
8 information. I know I got a copy of it.

9 Q. And when did you receive a copy of it?

10 A. I received a copy of it, I guess it was, several days
11 prior.

12 Q. Prior to May 8th?

13 A. Yes.

14 Q. So Mr. Romero Rosas was already a target for you then?

15 A. We routinely try to identify gang members who are
16 currently active and just try to determine where they are
17 just in terms of possibly tracking crime or setting them up
18 for interviews if we can do field interviews, things like
19 that. We didn't know this information until just prior.

20 Q. But you just said that the information was placed in the
21 gang database some days before May 8th.

22 A. No, the database isn't for -- you don't put information
23 like that into the database. The database is solely
24 controlled by the Minneapolis Police Department.

25 Q. So when did you get the information that a Porky would

1 be at Cinco de Mayo?

2 A. I believe it was on the 7th, the day before the Cinco de
3 Mayo festival.

4 Q. The information that was put into the gang database,
5 when was that placed into the gang database?

6 A. I don't know.

7 Q. You don't know if it was on the 7th or on the 8th or
8 some other time?

9 A. I don't know.

10 Q. Okay. So you don't know if that information was had on
11 May 8th when the vehicle was pulled over?

12 A. Which information?

13 Q. From the gang database.

14 A. The gang database just identifies who Porky is and the
15 associated police reports.

16 Q. Okay. How many other Porkies are in the gang database?

17 A. I have no idea.

18 Q. Okay. No reason to know that there aren't more Porkies
19 than just one?

20 A. I don't know. It's possible.

21 Q. True?

22 A. I don't know.

23 Q. So the information is given on May 7th to you?

24 A. Correct.

25 Q. And you pass it to other law enforcement agencies on May

1 7th?

2 A. Correct.

3 Q. What are the steps that are then taken regarding that
4 information?

5 A. I guess I'm not sure. I just pass it onto the
6 supervisor of the Gang Enforcement Team.

7 Q. Okay. Were you present when the vehicle was stopped?

8 A. No, I wasn't.

9 Q. But you appeared at some point after the vehicle was
10 stopped?

11 A. Correct.

12 Q. Why?

13 A. I was in the area.

14 Q. Why were you in the area?

15 A. I was working a detail on the Cinco de Mayo festival.
16 There was a lot of gang violence last year and we were
17 trying to stop some of the gang violence this year. So
18 there were more officers and agents out working to see if we
19 can lower the level of volume or lower the level of
20 violence.

21 Q. The information about the vehicle, you said that you ran
22 the tabs to get a description of the vehicle. That was done
23 on May 7th?

24 A. No, that was determined on May 8th.

25 Q. Okay. By whom?

1 A. That was passed onto me.

2 Q. Okay. Passed onto you from?

3 A. From the informant.

4 Q. Okay. There ends up being a vehicle stop, though, on
5 information you got May 7th?

6 A. Yes.

7 Q. How does that vehicle stop happen? Why is that vehicle
8 stopped?

9 A. I was told it was because of a traffic violation.

10 Q. Which would be what type of traffic violation?

11 A. I believe I read in the police report that the subject
12 was at an intersection and signalled one direction and
13 turned the opposite direction.

14 Q. Other than Porky may have a gun at Cinco de Mayo, did
15 the informant give you any other -- and the plate of a
16 vehicle, any other information the informant gave you about
17 this Porky that was going to have a gun?

18 A. No.

19 Q. Not where to look for the gun?

20 A. No.

21 Q. Okay. Any idea why they would pull a radio out of a
22 dashboard?

23 A. Commonly gang members will find places to hide firearms
24 so that law enforcement doesn't find them. That's not the
25 first vehicle that we've heard where they keep weapons

1 behind the -- the dashboard.

2 Q. Okay. Who is the car registered to?

3 A. I'm not sure.

4 Q. So February 2nd, 2009, Mr. Romero Rosas received
5 information from immigration court that he had a court
6 appearance?

7 A. I believe that's correct.

8 Q. Well, that's what you testified to.

9 A. Yes.

10 Q. Okay. So is that in fact true?

11 A. I'm just testifying off of the reports that are produced
12 by the database.

13 Q. Right. So your understanding from the database, what
14 you have testified to is reliable?

15 A. Yes.

16 Q. He had an appearance on February 2nd, 2009. A
17 continuance of that appearance happened. That's fairly
18 routine in immigration court. Immigration hearings get
19 continued, true?

20 A. I'm not sure. I don't routinely deal with immigration
21 court.

22 Q. But in any event, he had been on release and has a court
23 date in December of this year?

24 A. Correct.

25 Q. And when immigration -- immigration court has the same

1 information or access to the same law enforcement
2 information about a person's criminal history and that sort
3 of thing, true?

4 A. I'm not sure what they have access to.

5 Q. But you've not had any experience with immigration
6 court?

7 A. No.

8 Q. All right. Well, you're aware at the time that you got
9 the information regarding when you -- are you aware of the
10 fact that Mr. Romero Rosas has been in the United States for
11 several years? Are you aware of that fact?

12 A. Am I aware that he's been in the US for several years?

13 Q. Yes.

14 A. That's what he indicates, yes.

15 Q. And does the immigration records that you reviewed not
16 state that?

17 A. Yes.

18 Q. Okay. And that he has family members here in the United
19 States?

20 A. I believe I read a report that said his father was here,
21 yes.

22 Q. And you met his girlfriend, true?

23 A. Correct.

24 Q. Pregnant?

25 A. Correct.

1 Q. Visibly so?

2 A. Yes.

3 Q. You're aware of the fact that they have been together
4 for at least two or three years?

5 A. That's what he says.

6 Q. No information you have to dispute that, though?

7 A. No.

8 Q. And she lives here in Minnesota actually in the Twin
9 Cities, right?

10 A. That's what she says, yes.

11 Q. Okay. You have no information to dispute that, correct?

12 A. No.

13 MS. DURHAM: Thank you. Nothing further, your
14 Honor.

15 THE COURT: Okay. Redirect?

16 MR. DOCHERTY: No, your Honor. Thank you.

17 THE COURT: You're excused. Thank you.

18 THE WITNESS: Thank you.

19 THE COURT: Any witnesses?

20 MR. DOCHERTY: No further witnesses, your Honor.
21 The Government rests.

22 MS. DURHAM: The defense rests, your Honor.

23 THE COURT: All right. Argument on probable cause
24 or on the record?

25 MR. DOCHERTY: I would submit probable cause on

1 the record developed at the hearing here today, your Honor,
2 unless the Court has questions, in which case I would be
3 happy to answer those.

4 THE COURT: Okay.

5 MS. DURHAM: I would stand on the record with
6 regard to the probable cause, your Honor.

7 THE COURT: All right. Well, my job at this point
8 is to try to determine if there's at least probable cause to
9 move the case forward. In other words, is there sufficient
10 evidence to make it fair for this case to move forward. I
11 find that there is probable cause for the crime that's
12 charged against Mr. Romero Rosas and so I will bind him over
13 to Federal Court for further proceedings. That's just a
14 very long way of saying that the Court will -- the case will
15 continue and there are certain next steps that will happen
16 and your attorney will let you know what those steps are.
17 The case will continue here in Federal Court.

18 All right. Now we have a motion on detention.
19 Any witnesses on detention other than some of the questions
20 that were asked?

21 MR. DOCHERTY: No witnesses on detention, your
22 Honor.

23 THE COURT: Okay.

24 MR. DOCHERTY: I believe that that topic was woven
25 into both the direct and the cross-examination of Special

1 Agent Ouse. The Government continues to seek detention of
2 the Defendant. I believe that the record establishes here
3 today that there is at least probable cause to believe that
4 the Defendant is a gang member who was in possession of a
5 380 semiautomatic that was secreted within the motor vehicle
6 that he was driving. In addition, there is information
7 concerning the Defendant's criminal history in the bond
8 record. And finally, the Defendant is illegally present in
9 the United States.

10 For all of those reasons, your Honor, the nature
11 of the offense, the facts of the offense, the Defendant's
12 immigration status -- and I should mention the fact that the
13 Defendant is currently under a detainer from Immigration and
14 Customs Enforcement -- for all of those reasons, your Honor,
15 the Government submits that there is no condition or
16 combination of conditions that would assure the Defendant's
17 appearance in court and would protect the community. For
18 that reason we seek detention.

19 THE COURT: All right.

20 Ms. Durham.

21 MS. DURHAM: Thank you, Judge.

22 Mr. Romero Rosas is before you as an 18-year-old
23 man with a girlfriend of three years who will have a baby in
24 just a month or two. She's in the courtroom with her
25 parents and his father has come as well. He has resided in

1 this country for several years. He has resided and stood by
2 his girlfriend's side, which we don't always see that often
3 with young men in his circumstance.

4 The question is whether he is A, a flight risk. I
5 would submit that he's not. He has shown that not only to
6 the immigration court where there has been a pending matter
7 and him allowed to be on release for two years, February of
8 2009 until now -- more than two years.

9 Additionally, his criminal history is such that
10 with one exception it is minor and he has made court
11 appearances for each of those. No warrants ever issued.
12 And with the exception of a driving offense that happened
13 this past December, he's had no run-ins with the law since
14 2009, and that's significant as well.

15 He was honest in this pretrial report. He talked
16 about the fact that he has smoked marijuana. There was a
17 personal use that was found in the vehicle. Treatment, Rule
18 25, can address that concern. So A, he is not a flight risk
19 because he has ties to this community. He has significant
20 reasons to stay and significant reasons to appear.

21 This is not a presumption case. It is a ten-year
22 max. And depending on where he falls in the offense level
23 conduct, his sentence guidelines range with acceptance would
24 be anywhere between six months and 24 months depending on
25 which of the levels the Government and probation and I would

1 assert he applies to. So it's not a significant amount of
2 time.

3 Is he a danger to the community? There's no
4 indication that that gun was accessible. There's no
5 indication that he had any intent to use it on that day.
6 You have an individual who lets law enforcement know that a
7 gun is there so that they can stay in this country. But
8 there's nothing to say that Mr. Romero Rosas has a violent
9 past. There's nothing to say that he has any intent to use
10 that, and he certainly did not have access to it at the time
11 that he was driving the vehicle.

12 I would ask your Honor that you place him on
13 conditions and if his whereabouts is a concern, he would
14 certainly concede to wearing a GPS system as -- and the ones
15 that our probation office has are very particular. They can
16 locate on the screen and know exactly where you are. So
17 we're asking that you place him on conditional release and
18 allow him to return to his job which he has had, return to
19 his family, and take the role of being a father that he
20 wants to do and will have to do no matter what the
21 determination of this Court is.

22 THE COURT: Okay. Thank you. I'm looking at the
23 factors that I have to look at. I find that the Government
24 has met its burden as far as detention. I don't see that
25 there is a condition or a combination of conditions that

1 will assure his appearance or the safety of the community
2 and I find that based on the situation that he's in in terms
3 of being here illegally; and now there's a detainer on him,
4 which is different than what the situation was before.

5 He's young. He's a young man but he's got a
6 serious criminal history that -- and I can't ignore the
7 supplemental information that we have, as well, which points
8 to a serious situation of someone who has apparently, at
9 least in the past and maybe even recently, been involved in
10 a gang situation enough where he has a gun charge from when
11 he was 16 and then he was shot at another celebration, and
12 then this celebration he's got a gun in the car.

13 And based on all of that, I don't find that there
14 is a condition or combination of conditions that will
15 assure -- that portion that I just described is more about
16 the safety of the community. So I find that detention is
17 appropriate. I'll ask for a proposed detention order. And
18 that means, Mr. Romero Rosas, that you will be in federal
19 custody here while the case goes through the system. Your
20 attorney will tell you what options you have and including
21 challenging my order that I just did, or finding out what's
22 going to happen next as far as possibly a grand jury or
23 etcetera.

24 I acknowledge the family support by acknowledging
25 he previously worked with his particular status and

1 detainer. I don't think that would be following as far as
2 working. That was just another thing I was going to say
3 before. But I acknowledge the family support. I still
4 don't think that that changes the situation as far as safety
5 of the community. So that's my ruling. I'll ask for a
6 proposed order.

7 Is there anything else on behalf of the United
8 States?

9 MR. DOCHERTY: No, your Honor.

10 THE COURT: Anything else on behalf of Mr. Romero
11 Rosas?

12 MS. DURHAM: No, your Honor. Thank you.

13 THE COURT: We'll be in recess. Thank you.

14 (Court adjourned at 3:04 p.m.)

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18 I, Carla R. Bebault, certify that the foregoing is
19 a correct transcript from the digital audio recording of
20 proceedings in the above-entitled matter transcribed to the
21 best of my skill and ability.

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23 Certified by: s/Carla R. Bebault
24 Carla R. Bebault, CRR, FCRR
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